

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 CASE NO.:

SHAKERIA NORWOOD

23-10647-JDW

NOTICE OF MOTION TO DISMISS

Should any party receiving this Notice respond or object to the Motion, such response is required to be filed on or before August 21, 2023, with the Clerk of this Court using the CM/ECF system or at the following address:

Shallanda J. Clay, Clerk of Court
U. S. Bankruptcy Court
Northern District of Mississippi
703 Highway 145 North
Aberdeen, MS 39730

A copy of such response must be served on the undersigned Chapter 13 Trustee. If no responses are filed, the Court may consider the Motion immediately after the time for responses has expired. In the event a written response is filed, the Court will notify you of the date, time, and place of the hearing.

CERTIFICATE

I, the undersigned Attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to all affected creditors and their attorney if known.

Dated: July 28, 2023.

**LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE**

/s/ W. Jeffrey Collier
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
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**IN THE UNITED STATES BANKRUPTCY COURT FOR
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IN THE MATTER OF:

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MOTION TO DISMISS

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the “Trustee”), by and through counsel, and files this Motion to Dismiss (the “Motion”) and in support thereof states as follows:

1. On March 2, 2023, the Debtor initiated this proceeding with the filing of a Chapter 13 bankruptcy petition. The Debtor filed her proposed Amended Chapter 13 Plan on June 11, 2023 (Dkt. #34) (the “Plan”). The Section 341(a) Meeting of Creditors was held on June 13, 2023. Except as stated below, this case would otherwise be ready for confirmation.

2. The Debtor has failed to fully fund the Plan and, as of the date of this Motion, is \$1,173.33 delinquent in plan payments through July 2023. Plan payments continue to accrue at the rate of \$497.25 monthly hereafter. The failure by the Debtor to fund the Plan demonstrates that the Plan is not feasible.

3. The Trustee requests that this bankruptcy case be dismissed.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that upon notice and hearing that this Court enter its order granting the Motion and for such other relief to which the Trustee and this bankruptcy estate may be entitled.

Dated: July 28, 2023.

Respectfully submitted,

LOCKE D. BARKLEY
CHAPTER 13 TRUSTEE

By: /s/ W. Jeffrey Collier
ATTORNEYS FOR TRUSTEE
W. Jeffrey Collier (MSB 10645)
Melanie T. Vardaman (MSB 100392)
6360 I-55 North, Suite 140
Jackson, MS 39211
(601) 355-6661
ssmith@barkley13.com

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: July 28, 2023.

/s/ W. Jeffrey Collier
W. JEFFREY COLLIER